



FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

# Memorandum

**TO:** Director, Reference Information Center  
Chief, Media Bureau  
*DMA*

**FROM:** Daniel M. Armstrong  
Associate General Counsel

**SUBJECT:** *Preston W. Small v. FCC*, No. 04-1056 and *Preston W. Small v. FCC & USA*, No. 04-1057. Filing of a Notice of Appeal and a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

**DATE:** March 3, 2004

This is to advise you that, on February 19, 2004, Preston W. Small filed a Notice of Appeal and a Petition for Review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. §§ 402(b) and (a), of the following order: *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Anniston and Ashland, Alabama, and College Park, Covington, Milledgeville and Social Circle, Georgia)*, Memorandum Opinion and Order, MM Docket No. 98-112, 19 FCC Rcd 1603 (2004)

Mr. Small challenges the rulemaking proceeding to modify the table of FM allotments relating to several communities in Alabama and Georgia

The Court has docketed these cases as Nos. 04-1056 and 04-1057. The attorneys assigned to handle the litigation of these cases are C. Grey Pash, Jr.